

Chapter 12.12 EXCAVATION

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12.12.010 Permit — Required. It is unlawful for any person, firm or corporation to tunnel under or to make any excavation in any street, alley or other public place in the city without having obtained a permit as is required in this chapter or without complying with the provisions of this chapter or in violation of or in variance from the terms of any such permit. (Prior code § 18.301).

12.12.020 Permit — Application requirements. Applications for such permits shall be made to the clerk and shall describe the location of the intended excavation or tunnel, the size thereof, the purpose therefor, and the person, firm or corporation doing the actual excavating work, and the name of the person, firm or corporation for whom or which the work is being done, and shall contain an agreement that the applicant will comply with all ordinances and laws relating to the work to be done. (Prior code § 18.302).

12.12.030 Permit — Fees. The fee for such permits is ten dollars. A cash deposit of one hundred dollars shall be made with each such application to insure replacement of the surface in its original condition, to be returned when the work has been completed in accordance with the terms of the permit. (Prior code 18.304).

12.12.040 Permit — Issuance. No such permit shall be issued except on order of the mayor and city council. (Prior code § 18.303).

12.12.050 Barricade and lighting requirements. Any person, firm or corporation making or maintaining any excavation in any street or alley shall keep the same adequately guarded by barricades and lights as provided for in Section 12.08.040. (Prior code § 18.305).

12.12.060 Excavation requirements and procedure. A. It is unlawful to make any such excavation or tunnel in any way contrary to or at variance with the terms of the permit

therefor. Proper bracing shall be maintained to prevent the collapse of adjoining ground; and in excavations the excavation shall not have anywhere below the surface any portion which extends beyond the opening at the surface.

B. No injury shall be done to any pipe, cables, or conduits in the making of such excavations or tunnels; and notice shall be given to the persons maintaining any such pipes, cables or conduits or to the city department or officer charged with the care thereof, which are or may be endangered or affected by the making of any such excavation or tunnel before such pipes, cables or conduits shall be disturbed.

C. No unnecessary damage or injury shall be done to any tree or shrub or the roots thereof. (Prior code § 18.306).

12.12.070 Temporary sidewalk construction. If any sidewalk is blocked by any such work a temporary sidewalk shall be constructed or provided which shall be safe for travel and convenient for users. (Prior code § 18.307).

12.12.080 Time limits. Each applicant for a permit shall state the length of time it is estimated will elapse from the commencement of the work until the restoration of the surface of the ground, or until the refill is made ready for the pavement to be put on by the city if the city restores such surface pavement. It is unlawful to fail to comply with this time limitation unless permission for an extension of time is granted by the mayor and city council. (Prior code § 18.308).

12.12.090 Surface restoration requirements. Any person, firm or corporation making any excavation or tunnel in or under any public street, alley or public place in the city shall restore the surface thereof to its original condition if there is no pavement there. Refills shall be properly tamped down and any bracing in such tunnel or excavation shall be left in the ground.

Any opening in a paved or improved portion of a street shall be repaired and the surface relaid by the applicant, in compliance with the ordinances and subject to the supervision of the street and alley commissioner and if such work is not done within ten days after restoration is possible, the city may restore the surface and charge the cost thereof to the permittee. (Prior code § 18.309).

12.12.100 Inspection by street and alley commissioner. The Street and alley commissioner shall from time to time inspect all excavations and tunnels being made in or under any public street, alley or other public place in the city to see to the enforcement of the provisions of this chapter. Notice shall be given to him at least ten hours before the work of refilling any such excavation or tunnel commences. (Prior code § 18.310).

12.12.110 Exemptions. The provisions of this chapter relative to securing permits shall not apply to officers or employees of the city engaged in doing work for the city, nor to persons or corporations which are operating under a franchise or grant from the 'city if such franchise provides for the making of excavations and tunnels, without securing a permit therefor. (Prior code § 18.311).

12.12.120 Penalty for violation. Any person, firm or corporation violating any provision of this chapter shall be fined not less than five dollars nor more than five hundred dollars for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Prior code § 18.3 12).